

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

NOVEMBER 30, 1995

Mr. Joseph Shefchek
Assistant Vice President
Environmental Affairs and Research
Wisconsin Power and Light Company
222 West Washington Avenue
P.O. Box 192
Madison, WI 53701-0192

Dear Mr. Shefchek:

Thank you for your letter to Mary Nichols and myself, dated October 30, 1995 regarding the safe management of fluorescent lamps. In your letter you discuss the importance of participation in energy efficiency lighting programs, such as EPA's Green Lights program, and the need for regulatory relief for lighting wastes under RCRA.

We also agree that it is important to support the goals of the Green Lights program in promoting energy efficiency and we are encouraged by the success of the program which at present has over 2000 participants. As you know, in an effort to develop a cost effective and environmentally sound management strategy for fluorescent lamps that do exceed the hazardous waste threshold, the Agency published on July 27, 1995, a proposed rule (59 FR 38288) and has received more than 300 comments on the proposed rule. Many of the comments received address technical concerns related to the risks involved in the handling and disposing of these lamps (e.g., air emissions, leachability).

Because of these concerns, the Agency will need to devote the proper resources to analyze and resolve these technical issues. In light of the resources needed to finalize a rule for fluorescent lamp's, and the President's initiative for regulatory reform, the Agency is currently evaluating this proposed rule as well as other projects within the Office of Solid Waste in setting our priorities.

You may be interested in knowing that the Agency has recently finalized the universal waste rule (May 11, 1995, 60 FR 25492). This rule streamlines requirements for generators, transporters, and interim storage facilities who manage hazardous batteries, certain hazardous waste pesticides, and mercury containing thermostats. In general, this new rule makes it much easier to set up collection programs. The universal waste rule also allows states the flexibility to add additional wastes. States may wish to consider adding fluorescent lamps to their own State regulations when they adopt the universal waste rule.

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In your letter you remark on inconsistencies in policies on lamp management across the states. Section 3009 of RCRA allows States to impose standards more stringent than, or in addition to, those in the Federal program. Therefore, individual states may choose to have their own laws and policies that are different from the federal rules.

The Agency appreciates your interest in energy efficiency and environmentally sound management of fluorescent lamps. For additional information regarding the fluorescent lamps proposal, please contact Bryan Groce of my staff at (202) 260-9550 or Kristina Meson at (202) 260-5736.

Sincerely,

Michael Shapiro, Director
Office of Solid Waste